IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.712 OF 2006

In

CHAMBER SUMMONS NO.154 OF 2004

In

SUIT NO.1041 OF 1992

Freddie Cajetan Gonsalves : Appellant

(Orig.Defendant No.1)

V/s.

The New Age Cooperative Housing

Society Ltd. & Ors. : Respondents

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Ms S. Abraham i/b. Mr.Prakash Mahadik for the appellant.

Mr.N.K.Mudnaney for respondent nos.3 to 6.

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CORAM : R.M.LODHA & S.A.BOBDE,JJ.

DATE : SEPTEMBER 26, 2006.

P.C.

1. We heard the counsel for the appellant and perused the impugned order dated 25.4.2005. For the reasons recorded therein with which we are satisfied, we find no case for interference.

2. Appeal is dismissed in limine.

3. The parties are granted liberty to apply to the learned trial Judge for fixing the calendar for hearing of the suit since it is pending for the last 14 years.

R.M. LODHA, J.

S.A. BOBDE, J.